

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION

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No. 2:12-md-02323-AB

MDL No. 2323

THIS DOCUMENT RELATES TO:

*Alexander, et al v. The National Football  
League, No. 12-cv-01923*

*Myers v. The National Football League,  
No. 12-cv-01424*

*Schobel v. National Football League,  
No. 12-cv-02801*

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**PLAINTIFFS' RESPONSE TO DEFENDANT NATIONAL FOOTBALL LEAGUE'S  
MOTION TO DIMISS PLAINTIFFS' COMPLAINTS**

TO THIS HONORABLE COURT:

Plaintiffs file this their response to Defendant National Football League's (the "NFL") Motion to Dismiss Plaintiffs' Complaints, and in support thereof would respectfully show the Court as follows:

Defendant is correct that Plaintiffs did not served Defendant with service of process. Plaintiffs' counsel understood that once these cases were transferred to this Court from the original court, Defendant would be deemed served. Upon further review of this Court's Case Management Orders, it appears that is not the case. Accordingly, Plaintiffs' counsel is in the process of executing service of process on Defendant in the above-referenced cases.

For these reasons, Plaintiffs respectfully asks this Court to (1) deny Defendant's Motion to Dismiss; and (2) extend the time period for service on Defendant for an appropriate period so

that service may be effected and Plaintiffs are not required to re-file their cases. Rule 4(m), FED.  
R. Civ. P.

Respectfully submitted,

By: /s/ Christopher K. Johns  
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ATTORNEY FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this document will be served or has been served on all interested parties in accordance with the Federal Rules of Civil Procedure on the **13<sup>th</sup> day of September, 2012**. Service on E-Filing Users will be automatically accomplished through the Notice of Electronic Filing; non-Filing Users will be served by certified mail, return receipt requested and/or via facsimile.

/s/ Christopher K. Johns  
Christopher K. Johns